

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

DANIEL HERRON,

Plaintiff,

v.

TEARS OF EDEN, KATHERINE
SPEARING, LLC, and KATHERINE
SPEARING (IN HER INDIVIDUAL
CAPACITY),

Defendants.

Case No. 1:23-cv-1190-RLY-MJD

DEFENDANTS' DISCLOSURE STATEMENT

TEARS OF EDEN, KATHERINE SPEARING, LLC, and KATHERINE SPEARING (IN HER INDIVIDUAL CAPACITY), (collectively, the “Defendants”), by and through their counsel, Renee J. Mortimer and Kristanna Roper-Nikitaras of LEWIS BRISBOIS BISGAARD & SMITH LLP, and pursuant to Federal Rule of Civil Procedure 7.1 and Local Rule 7.2 and 81-1, hereby disclose as follows:

1. TEARS OF EDEN and KATHERINE SPEARING, LLC are non-governmental entities to this litigation.
2. TEARS OF EDEN states it is a Missouri nonprofit corporation and had no corporate parent nor any publicly held corporation owning 10% or more of its stock.
3. KATHERINE SPEARING, LLC is a limited liability company organized and existing under the laws of the State of Missouri, with a principal place of business in St. Louis, Missouri. Katherine Spearing is the only member of Katherine Spearing, LLC. Katherine Spearing is a resident of St. Louis, Missouri. No publicly held corporation has any ownership interest in KATHERINE SPEARING, LLC.

4. TEARS OF EDEN and KATHERINE SPEARING, LLC were and are citizens of the state of Missouri. *See* 28 U.S.C.S. § 1332(c); *see also* ECF No. 1 - Notice of Removal.

5. KATHERINE SPEARING (IN HER INDIVIDUAL CAPACITY) is was and is domiciled in the state of Missouri. *See Page v. Democratic Nat'l Comm.*, 2021 U.S. App. LEXIS 18407, at *7 (7th Cir. June 21, 2021) (individuals are deemed to be a “[c]itizen of the state in which they reside or—to be more precise—are domiciled.”); *see also* ECF No. 1 - Notice of Removal. Thus, Katherine Spearing, individually, is a citizen of the state of Missouri.

6. The Court has jurisdiction under the provisions of 28 U.S.C.S. § 1332 and 28 U.S.C.S. § 1441 as the citizenship of the parties and the amount in controversy supports diversity of jurisdiction. Defendants refer the Court to their Notice of Removal, filed as ECF No. 1, for the facts supporting federal jurisdiction.

7. No additional disclosures are required under, United States District Court Southern District of Indiana Local Rules, Court Orders, or the Federal Rules of Civil Procedure.

Respectfully submitted,

LEWIS BRISBOIS BISGAARD & SMITH LLP

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